



RULE 132 AFFIDAVIT

Applicant : Randall Finn
Serial No.: 10/786,408
Filed: 02/25/2004
Examiner: Tompkins, Alissa Jill
Group Art Number: 3765

DECLARATION UNDER 37 C.F.R. 1.132

I, Randall Finn, declare and state:

That I am a citizen of the United States.

That I am over the age of eighteen (18) and I have personal knowledge concerning my testimony.

I am the inventor of the current invention which is the subject matter of the patent application.

I have been working in the painting industry for more than 20 years.

I have reviewed copies of the patents in the Patent Office's reply. My invention, as a whole, is not disclosed in any one patent based on my review of all the patents referred to in the response from the Patent Office.

Based on my over 20 years of experience in the painting industry and my knowledge in this field, it is my opinion, as one skilled in this industry, that there is not an indication or suggestion, to one skilled in this area, to combine these patents, cited by the Patent Office in its response, to produce my invention.

In viewing US Patent Number 4,862,521 to Mann, the elastic wrist band around the wrist area of the glove is not the same in my invention and does not provide the same support as the strap does in my invention. The design of the strap in the wrist area of the glove in my invention is designed to hold the user's hand inside the glove especially so

that the user's hand will stay in the glove when the paint can is fairly full or full of paint. The elastic wrist band around the glove in Mann would not be able to hold a user's hand in the glove when the paint can is fairly full or full of paint. My invention is specifically designed to account for this situation; that is to keep the user's hand in the glove when the paint can is fairly full or full of paint and the invention of Mann is not designed for this situation.

In viewing U.S. Patent Number 5,833,095 to Russell the invention does not contain a vertical strap to the elastic sleeve of the Russell invention. The Russell invention has fasteners that go in holes, see Figs. 1 and 3 (like buttons in a shirt). This is not like my invention. I used a vertical strap and the vertical strap adds much more support than in the Russell invention and in my opinion, based on my over 20 years in the painting industry, and working with my invention, the vertical strap is a much more stable and secure design.

I have showed my invention to many of my friends that perform painting work and they liked the invention and were surprised by the way it worked so well. They indicated that they have never seen this in the painting field and wanted to use it. When they used my invention, they indicated that they liked it and were surprised by the way it worked so well.

For this reason, namely the strong indication of others in the painting field liking the invention, the invention is going to be a commercial success.

The great attribute of my invention is that it reduces stress on a painter's wrist and fingers. You see, a painter, when holding a paint can filled with paint, while painting, places his or her thumb under the metal handle of the paint can and the rest of his or her

fingers on the paint can itself. This causes a painter extreme pain, especially when used over an extended period of time. With my invention, a painter's thumb and fingers are protected by the glove and this helps in alleviating any pain. Further, the strap in the wrist area of the glove keeps the glove on the user's hand as he or she paints. The invention satisfies a long felt need in the painting industry because painters for years and years have been holding a paint can in this way (the thumb against the can and metal handle over the thumb) and my invention solves the problem that a painter experiences when he or she holds the paint can in this way. Now, with my invention, a painter will no longer have to place his or her thumb under the metal handle of the paint can but rather can use the glove to hold the paint can.

It is my opinion, based on my years of experience in the painting field and my analysis of the previous patents cited by the Patent Office, that my invention, as a whole, is un-obvious to those skilled in this art.

That the undersigned declares further that all statements made herein are of his own knowledge and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false

statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Further declarant saith not.

Randall A. Finn
Signature

RANDALL A FINN
Print Name

SWORN TO AND SUBSCRIBED before me
this 28th day of October, 2005.

Joseph G. Mitchell
NOTARY PUBLIC, GEORGIA, STATE AT LARGE
My Commission Expires:

